

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 \* \* \*

4 MICHAEL HANNAH,

Case No. 2:19-cv-01393-KJD-EJY

5 Plaintiff,

6 v.

**ORDER**

7 LOMBARDO, *et al.*,

8 Defendants.

9  
10 **I. DISCUSSION**

11 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections  
12 (“NDOC”), has submitted a civil rights complaint pursuant to 42 U.S.C. § 1983 as well as a  
13 financial certificate with an account statement. (ECF No. 1-1, 1-2). However, Plaintiff has neither  
14 paid the full filing fee for this matter nor filed an application to proceed *in forma pauperis*.

15 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
16 application to proceed *in forma pauperis* and attach both an inmate account statement for the past  
17 six months and a properly executed financial certificate. The Court will retain Plaintiff’s civil  
18 rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee  
19 is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma*  
20 *pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an  
21 application to proceed *in forma pauperis* he must file a fully complete application to proceed *in*  
22 *forma pauperis*, including the required financial attachments.

23 **II. CONCLUSION**

24 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND  
25 Plaintiff the approved form application to proceed in forma pauperis by a prisoner, as well as the  
26 document entitled information and instructions for filing an in forma pauperis application.

1 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,  
2 Plaintiff shall either: (1) file a fully complete application to proceed in forma pauperis, on the  
3 correct form with both an inmate account statement for the past six months and a properly executed  
4 financial certificate, in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing  
5 a civil action (which includes the \$350 filing fee and the \$50 administrative fee).

6 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
7 dismissal of this action may result.

8 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint (ECF  
9 No. 1-1), but shall not file it at this time.

10  
11 DATED THIS 15th day of August, 2019.

12  
13   
14 \_\_\_\_\_  
15 UNITED STATES MAGISTRATE JUDGE  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28